



PRESS RELEASE

No: 201/2018

Date: 4th April 2018

New post of local Director of Public Prosecution to be created

The Ministry of Justice is extremely pleased to announce that a Bill for a new Act to establish the office of Director of Public Prosecution (DPP) in Gibraltar, in accordance with one of the Government's key manifesto commitments, has today been published.

In Gibraltar, the position of the DPP has never existed and, in the past, the Attorney General (AG) has principally carried out that function. With the appointment of Michael Llamas QC as AG in 2015, the Government was committed to bring about the necessary changes so that our system would more closely replicate that in the United Kingdom. In such a system, the DPP is in charge of the day-to-day running of the criminal prosecution service under the direction of the AG and the AG can concentrate on being the chief legal advisor to the Government. With the creation of the new post, Gibraltar will follow the UK model where the DPP and AG are two separate appointments.

The DPP will head the Office of Criminal Prosecutions and Litigation, (which performs in Gibraltar a role equivalent to the Crown Prosecution Service in the UK), on a day-to-day basis and will carry out criminal law and litigation work on behalf of the AG. The DPP will also exercise certain of the AG's powers in relation to criminal litigation, such as consenting for certain offences to be prosecuted. The exercise of such powers will be strictly under the direction of the AG and, in accordance with the Constitution, the DPP will be subject to any instructions issued by the AG in that regard. The DPP will not be able to act in any manner contrary to such instructions or in cases where the AG has personally exercised a power or discretion.

The Bill sets out that the appointment of the DPP will be carried out by the Gibraltar Government in consultation with the AG. The provisions of the Bill ensure that the person so appointed must be not only an expert in criminal law and litigation, but also a fit and proper person to hold the post. The notice of the creation of the post of DPP will be published in the Gibraltar Gazette.

Minister for Health, Care and Justice, the Honourable Neil F. Costa MP said: "I am confident that the creation and appointment of the post of Director of Public Prosecution will positively enhance our legal services. To have a DPP in place within this term of office is one of the Government's manifesto commitments and a pledge that is about to become a reality for the first time in Gibraltar. I

Ministry of Health, Care and Justice

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think the creation of this new office is an important development for the legal community and one that will be welcomed by professional practitioners and the public alike, as it will improve the administration of justice for the benefit of our entire community.”